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MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

VLADIMIR YOVEV,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA; et al.,

Defendants - Appellees.

No. 08-56329

D.C. No. 2:07-cv-01029-PSG

MEMORANDUM^{*}

Appeal from the United States District Court
for the Central District of California
Philip S. Gutierrez, District Judge, Presiding

Submitted February 23, 2008^{**}

Before: RYMER, HAWKINS and GOULD, Circuit Judges.

A review of the record and the opening brief indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

standard). The district court did not abuse its discretion in dismissing without prejudice this case for failure to prosecute. *See Morris v. Morgan Stanley & Co.*, 942 F.2d 648, 650 (9th Cir. 1991).

Accordingly, we summarily affirm the district court's judgment.

AFFIRMED.